

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

ANTHONY MILLER,

Plaintiff,

v.

THE COUNTY OF MONROE,

Defendant.

NOTICE OF MOTION

Case # 6:23-cv-6649-FPG

Motion By: Defendant County of Monroe

Relief Requested:

- A.** An order pursuant to F.R.C.P. Rule 12(b)(6), dismissing the cause(s) of action against County of Monroe.
- B.** Such other and further relief as this Court shall find good and proper.

Nature of the Action: Plaintiff brought suit against City of Rochester (22-cv-6069) and New York State (Court of Claims) in separate actions. He now sues Monroe County. All cases relate to his criminal conviction in 2014 for robbery.

Supporting Papers: Attorney Declaration of Robert J. Shoemaker, Esq., Memorandum of Law, Exhibit A, Exhibit B, Complaint (Docket No. 1).

Before: Hon. Frank P. Geraci

Date and Time: To be determined.

Answer to the Motion: The Defendant hereby reserve the right to reply.

JOHN P. BRINGEWATT
MONROE COUNTY ATTORNEY
Attorney for the Defendants

Dated: January 5, 2024

/s/ Robert J. Shoemaker
Robert J. Shoemaker, Esq. of Counsel
Deputy County Attorney

307 County Office Building
39 West Main Street, Rochester, New York 14614
Telephone: 585.753.1472
boshoemaker@monroecounty.gov

To: Elliott D. Shields, Esq.
Roth & Roth, LLP

(by CM/ECF)